

# Order

Michigan Supreme Court  
Lansing, Michigan

March 30, 2011

Robert P. Young, Jr.,  
Chief Justice

141927

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

DEPARTMENT OF ENVIRONMENTAL  
QUALITY,

Plaintiff-Appellee,

v

SC: 141927  
COA: 291419  
Ingham CC: 08-001466-CE

JOSEPH R. BROWN,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the July 20, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals to the extent that it held that res judicata did not bar the plaintiff's cause of action to enforce correction orders issued to the defendant pursuant to MCL 333.12709(1). The basis for those orders was the same conduct that was the basis for the action to revoke the defendant's certificate of registration under MCL 333.12709(2). Enforcement of the correction orders could have been resolved in the prior proceeding between the parties. *Adair v State of Michigan*, 470 Mich 105, 121, 124-125 (2004). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 30, 2011

*Corbin R. Davis*

Clerk